

REMARKS

This Response is submitted in reply to the Office Action dated October 2, 2008. Claims 1, 6, 7, 15, 17, 18, 22, 26, 27, 40, 44, 48 and 54 have been amended. Claims 19, 24, 28 to 30 and 55 remain canceled. No new matter has been added by such amendments. The Commissioner is hereby authorized to charge deposit account 02-1818 for all fees which are due and owing in connection with this Response.

The Office Action rejected:

- (a) Claims 1-13, 15-18, 20-23, 25-27, 38-51, 53-54, 56-65 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Nos. 5,788,574 to Orenstein ("Orenstein '574") or 5,570,885 to Orenstein ("Orenstein '885");
- (b) Claims 1-4, 6-10, 12-13, 15-18, 20-23, 25-27, 31-33, 37-42, 44-48, 50-51, 53-54, and 56-65 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,586,766 to Forte ("Forte");
- (c) Claims 1-13, 15-18, 20-23, 25-27, 31-32, 34-35, 37-51, 53-54, and 56-65 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,851,010 to Feinberg ("Feinberg");
- (d) Claims 1-13, 15-18, 20-23, 25-27, 31-32, 37-51, 53-54, and 56-65 under 35 U.S.C. § 102(e) as being anticipated by U.S. Published Patent Application No. 2001/0028147 to Orenstein ("Orenstein '147"); and
- (e) Claims 14, 34-36 and 52 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Feinberg and Orenstein '147.

The Office Action stated that:

the Office Action agrees that claims include a form for [only, neither argued or claimed] a single player to place multiple consecutive simultaneous wagers that is not taught by the references [Orenstein ('431, '885, '574), Forte and Feinberg].

Applicant respectfully disagrees with, and traverses, such rejections. Applicant reiterates the arguments presented in the Response to Office Action dated July 15, 2008 regarding Claims 1-18, 20-23, 25-27, 31-54 and 56-65. Nonetheless, to advance prosecution of this application, Applicant has amended independent Claims 1, 18, 22, 38, 39 and 54. At least Figures 8A to 8G along with paragraphs [0014], [0015], [0018], [0020], [0042], and [0059] to [0061] of Applicant's specification provide examples of support for the amendments to independent Claims 1, 18, 22, 38, 39 and 54.

Amended independent Claim 1 recites a method including the following elements, among others: "(b) displaying a first streak area associated with the streak game, the first streak area having a first quantity of advancement levels associated with a first streak condition; (c) indicating a first opportunity for a player to place a plurality of first streak wagers associated with the first streak condition; (d) displaying a second streak area associated with the streak game, the second streak area having a second quantity of advancement levels associated with a second, different streak condition; (e) indicating a second opportunity for said player to place a plurality of second streak wagers associated with the second, different, streak condition. . . (i) simultaneously tracking whether the first and second streak conditions are satisfied for said player, (w) for a first one of the first streak wagers, the tracking including: (1) displaying a first symbol associated with the first streak wager at a first one of the advancement levels of the first streak area in response to a first one of the consecutive rounds resulting in a first outcome which satisfies the first streak condition, and (2) displaying the first symbol associated with the first streak wager at a second one of the advancement levels of the first streak area in response to a second one of the consecutive rounds resulting in the first outcome which satisfies the first streak condition, and (x) for a first one of the second streak wagers, the tracking including: (1) displaying a second symbol associated with the second streak wager at a first one of the advancement levels of the second streak area in response to the first one of the consecutive rounds resulting in a second outcome which satisfies the second, different streak condition, and (2) displaying the second symbol associated with the second streak wager at a second one of the advancement levels of the second streak area in response to the second one of the consecutive rounds resulting in the second outcome which satisfies the second,

different streak condition, and (y) for a second one of the first streak wagers, the tracking including: (1) while displaying the first symbol at the second one of the advancement levels of the first streak area, displaying a third symbol associated with the second one of the first streak wagers at the first one of the advancement levels of the first streak area in response to the first one of the consecutive rounds resulting in the first outcome which satisfies the first streak condition, and (z) for a second one of the second streak wagers, the tracking including: (1) while displaying the second symbol at the second one of the advancement levels of the second streak area, displaying a fourth symbol associated with the second one of the second streak wagers at the first one of the advancement levels of the second streak area in response to the first one of the consecutive rounds resulting in the second outcome which satisfies the second, different streak condition."

Amended independent Claim 18 recites a method including, among other elements: "in response to one of the plurality of first outcomes occurring for the first play of the base game, providing the first player with an opportunity to place another one of the side wagers associated with the first streak condition while the first one of the side wagers associated with the first streak condition is active."

Amended independent Claim 22 recites an apparatus including, among other elements: "in response to one of the plurality of first outcomes occurring for the first play of the base game, provide the first player with an opportunity to place another one of the side wagers associated with the first streak condition while the first one of the side wagers associated with the first streak condition is active."

Amended independent Claim 38 recites an apparatus that includes the following elements, among others: "(a) display a game image associated with a game operable upon at least one wager, the game image including a first streak area having a first quantity of advancement levels and a second streak area having a second quantity of advancement levels, (b) for a player of the game: (i) indicate an opportunity for the player to place a plurality of first streak wagers associated with the first streak area, (ii) indicate an opportunity for the player to place a plurality of second streak wagers associated with the second streak area, (c) simultaneously track any occurrences of: (i) any first streak outcomes achieved by the player during a plurality of consecutive plays

of the game resulting from the first streak wagers placed by said player, and (ii) any second streak outcomes achieved by the player during a plurality of consecutive plays of the game resulting from the second streak wagers placed by said player, and (d) display at least one additional image which indicates: (i) a first occurrence of one of the first streak outcomes achieved by said player during a plurality of consecutive plays of the game at a first one of the advancement levels of the first streak area associated with a first one of the first streak wagers, (ii) a second occurrence of one of the first streak outcomes achieved by said player during the plurality of consecutive plays of the game at a second one of the advancement levels of the first streak area associated with a second one of the first streak wagers, (iii) a first occurrence of one of the second streak outcomes achieved by said player during the plurality of consecutive plays of the game at a first one of the advancement levels of the second streak area associated with a first one of the second streak wagers, and (iv) a second occurrence of one of the second streak outcomes achieved by said player during the plurality of consecutive plays of the game at a second one of the advancement levels of the second streak area associated with a second one of the first streak wagers."

Amended independent Claim 39 recites a computer program storage device that includes the following elements, among others: "(i) provide an opportunity for the player to place an additional streak wager on the first streak round; (ii) for the first streak wager and the additional streak wager, separately track how many of the received consecutive outcomes are identical to the selected type of outcomes for each main round for the first streak round; and (iii) for the second streak wager, track how many of the received consecutive outcomes are identical to the selected type of outcome for each main round for the second streak round, where the first streak round is tracked separately from the second streak round."

Amended independent Claim 54 recites a computer program storage device that includes the following elements, among others: "(j) provide said player an opportunity to place an additional streak wager associated with the first streak round; (x) in response to the additional streak wager being received: (1) while the representation of the first streak wager is displayed at another position on the first path, display a representation of the third streak wager at the first position on the first path; (2) display the

representation of the third streak wager at another position on the first path in response to the generated outcome satisfying the first streak condition associated with the first streak round."

Applicant respectfully submits that neither Orenstein '574, Orenstein '885, Forte, Feinberg, nor Orenstein '147, whether considered alone or in combination, anticipate or render obvious the foregoing emphasized elements among others. Accordingly, Applicant submits that all of the claims are in condition for allowance.

An earnest endeavor has been made to place this application in condition for formal allowance and is courteously solicited. If the Examiner has any questions regarding this Response, Applicant respectfully requests that the Examiner contact the undersigned.

Respectfully submitted,

BELL, BOYD & LLOYD LLP

BY 

Renato L. Smith
Reg. No. 45,117
Customer No. 29159

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